Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

CONFIDENTIAL

PAGE 01 STATE 029258
ORIGIN ARA-10

INFO OCT-01 ISO-00 L-03 SS-15 INR-07 SP-02 /038 R

DRAFTED BY ARA/CEN:MMBOVA:MKF
APPROVED BY ARA/CEN:MMBOVA
L:LHUMMER
----------091820Z 112951 /41
O 091805Z FEB 77
FM SECSTATE WASHDC
TO AMEMBASSY SAN JOSE IMMEDIATE

C O N F I D E N T I A L STATE 029258

STADIS//////////////////////////////

E.O. 11652:GDS

TAGS: PGOV, PINT, CS

SUBJECT: IRS INTEREST IN TESTIMONY FROM VESCO ACCOMPLICES

REF: (A) SAN JOSE 352 (B) STATE 11781

1. PLEASE ADVISE ON AN URGENT BASIS IF REQUIREMENT TO NOTIFY COSTA RICAN FOREIGN MINISTRY OF U.S. OFFICIALS PRESENCE IN COSTA RICA TO TAKE A DEPOSITION (PARA 3, REF A) IS A POINT OF COSTA RICAN LAW OR A MATTER OF POLICY. ALSO, PLEASE CLARIFY WHETHER COSTA RICAN LAW POSES ANY OBJECTIONS TO THE TAKING OF A DEPOSITION BY FOREIGN GOVERNMENT OFFICIALS AT A LOCATION OTHER THAN THE GROUNDS OF THAT FOREIGN GOVERNMENT'S DIPLOMATIC MISSION. FYI: MANY FOREIGN GOVERNMENTS DO NOT PERMIT REPRESENTATIVES OF OTHER COUNTRIES TO TAKE DEPOSITIONS ON THEIR TERRITORY BUT INSIST INSTEAD THAT A LETTERS ROGATORY PROCEDURE BE SUBSTITUTED. DEPARTMENT WONDERS IF COSTA RICA'S APPARENT POLICY PERMIT-
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TING SUCH DEPOSITIONS TO BE TAKEN IS IN ANY LEGAL OR POLICY WAY PREMISED ON THE TAKING OF SAID DEPOSITION ON EMBASSY GROUNDS.
W. IRS HAS REQUESTED THAT DEPARTMENT SET FORTH, IN WRITING AND ON AN URGENT BASIS, ANY OBJECTIONS TO THE TAKING OF THE DEPOSITIONS DESCRIBED IN REFTEL B ON OTHER THAN EMBASSY GROUNDS. IRS MUST JUSTIFY THESE OBJECTIONS TO U.S. JUDGE.

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3. BEFORE WRITING TO IRS DEPARTMENT WOULD LIKE CLARIFICATION OF ABOVE POINTS. DEPARTMENT ASKS EMBASSY TO CONSIDER THAT THESE DEPOSITIONS TO BE TAKEN AT REQUEST OF DEPONENTS. USG OBJECTION TO THEIR BEING TAKEN ON QUOTE NEUTRAL UNQUOTE GROUNDS COULD CONCEIVABLY BE CITED AS UNDUE INTERFERENCE WITH RIGHTS OF SAID DEPONENTS. POLICY OBJECTIONS RAISED BY EMBASSY IN REFTEL (A) WOULD BE STRENGTHENED CONSIDERABLY IF COSTA RICAN LAWS OR PROCEDURES COULD ALSO BE CITED IN SUPPORT OF ARGUMENT TO HAVE DEPOSITIONS TAKEN ONLY ON EMBASSY GROUNDS.
VANCE

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PAGE 01 STATE 029258
ORIGIN ARA-10

INFO OCT-01 ISO-00 /011 R

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DRAFTED BY:ARA/CEN:MBOVA
APPROVED BY:ARA/CEN:MWEISSMAN
----------240414Z 068518 /61
R 232250Z MAR 77
FM SECSTATE WASHDC
TO AMEMBASSY NASSAU

C O N F I D E N T I A L STATE 029258

STADIS//////////////////

FOLLOWING REPEAT STATE 029258 SENT SAN JOSE FEB. 9.

QUOTE: C O N F I D E N T I A L STATE 029258

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OFFICIALS AT A LOCATION OTHER THAN THE GROUNDS OF THAT FOREIGN GOVERNMENT'S DIPLOMATIC MISSION. FYI: MANY FOREIGN GOVERNMENTS DO NOT PERMIT REPRESENTATIVES OF OTHER COUNTRIES TO TAKE DEPOSITIONS ON THEIR TERRITORY BUT INSIST INSTEAD THAT A LETTERS ROGATORY PROCEDURE BE SUBSTITUTED. DEPARTMENT WONDERS IF COSTA RICA'S APPARENT POLICY PERMITTING SUCH DEPOSITIONS TO BE TAKEN IS IN ANY LEGAL OR POLICY WAY PREMISED ON THE TAKING OF SAID DEPOSITION ON EMBASSY GROUNDS.

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Message Attributes

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Disposition Approved on Date:
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Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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Disposition Reason:
Disposition Remarks:
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Original Handling Restrictions: STADIS
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TAGS: PGOV, PINT, CS, US, IRS, (VESCO, ROBERT LEE)
To: SAN JOSE
Type: TE
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Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009